GOVERNMENT OF MYSORE.

LABOUR AND MUNICIPAL ADMINISTRATION DEPARTMENT (LABOUR).

Labour dispute.—Industrial Dispute between the Workmen and the Management of M/s. Vaidyanatha Tyre Retreading Works, Felix Pai Bazaar, Mangalore-1

Award of the Labour Court, Bangalore, published.

Read the following papers :—

1. Letter No. 1074/66-67, dated 1st December 1966 from Shri P. T. Kadkol, Presiding Officer, Labour Court, Bangalore.

BEFORE THE PRESIDING OFFICER, LABOUR COURT, BANGALORE.

Dated this 1st day of December 1966

PRESENT

Sri P. T. Kadkol, B SC , LL.B.,

Presiding Officer.

Reference No. 70 of 1966

Between :

Workmen represented by the General Secretary, Mill and General Mazdoor Sangh, Felix Pai Bazaar, Mangalore-1. ***I Party***

and

The Management of M/s. Vaidyanatha Tyre Retreading Works, Felix Pai Bazaar, Mangalore-1. ... ***II Party.***

Reference.

Government Order No. LMA 180 LLD 66, Dated 7th June 1966.

AWARD

The Government of Mysore being of opinion that an industrial dispute exists between the workmen and the management of M/s. Vaidyanatha Tyre Retreading Works, Mangalore, have referred it to this court for adjudication under Section 10 (1) (c) of the Industrial Disputes Act, 1947, by their Order No. LMA 180 LLD 66 dated 7th June 1965 setting out the following points of dispute for adjudication :—

> "What are the reliefs to which workmen Sri K. Ramesha, B. Vishwanatha, Narayanna, A. Sanjiva, Venkatesha, Fredrick D'Souza, Monappa and K. Ganapathy of the Felix Pai Bazaar of M/s. Vaidyanatha Tyre Retreading Works, Mangalore-1 are entitled to, the said reliefs being inclusive of earned wages, wages in lieu of leave with wages, bonus and retrenchment compensation and the same being fixed also with reference to the Trade Union's contention that the closure of the Unit was not justified as far as the workmen are concerned."

2. The cause of the aggrieved workmen has been sponsored by the Mill and General Mazdoor Sangh, Mangalore which is a registered trade union. This Union as representing the workmen is the first party and the management of Messrs. Vaidyanatha Tyre Retreading Works, Mangalore is the second party in this proceeding. The Union is represented by Mr. Prabhakar Ghate and the management by Mr. K. Shashidhar Rao.

3. In response to the notices issued by the Court the First Party has submitted its statement of claims dated 18th July 1966 and the second party has submitted its statement of objections dated 25th July 1966.

4. On 19th November 1966 when the case came up for hearing before me at Mangalore Camp, both parties submitted a joint memorandum of settlement and prayed that an award be passed in terms thereof. It has been marked Ex. A. I have gone through the terms of settlement and find that they are fair, reasonable and in the best interests of both parties. Hence I accept the settlement and proceed to pass an Award as under :—

AWARD.

Reference is accepted. An award is made between the parties in terms of the memorandum of settlement Ex. A which should be

annexed to this award and be deemed as forming part thereof. Parties do bear their own costs.

(Sd.) P. T. KADKOL,
Presiding Officer,
Labour Court, Bangalore.

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(Sd.) P. T. KADKOL,
Presiding Officer,
Labour Court, Bangalore.

BEFORE THE LABOUR COURT, BANGALORE.

Ref. No. 70/1966

Between :

The Workmen of Vaidyanath Tyre Retreading Works, Mangalore-1. — *I Party*

And

The Management of M/s. Vaidyanath Tyre Retreading Works, Mangalore. — *II Party*

Joint Memo Filed by Both Parties Above named

The parties above named beg to state as follows :—

1. Both parties submit that they have settled between themselves the above dispute to the extent and on the terms detailed as under.

2. The second party agrees to pay to the I Party workmen compensation at the rate of 15 days' salary as per Sec. 25 FFF of the I.D. Act, 7 days' leave salary 15 days' wages as bonus for the year 1964-65 and earned wages due for the month of March 1965. The amounts due as above to each worker are shown against their names and are in full and final settlement of all their claims in the above reference.

1	K. Ramesh	...	Rs. 400—33
2	Narayana	...	Rs. 275—66
3	Narnappa	...	Rs 223—00
4	Fredrick D'Souza	...	Rs. 188—00
5	Vishwanath	...	Rs. 110—33
6	Venkatesh	...	Rs. 172—33
7	Ganapathi	...	Rs. 98—00

3. The workmen agree to accept the said amounts in full and final settlement of all their claims in the above dispute.

4. Parties are agreed that in the order of reference the name of one workman Narnappa has been wrongly spelt as "Monappa" Accordingly they have agreed to include the name of Narnappa in

this memorandum of settlement. Therefore it is agreed between the parties that there is no further claim against the II party from anybody called Monappa since no such person was employed by the II Party.

5. As regards the claim of Sri A. Sanjiva included in the order of reference, the 2nd party maintains that he was not their workman at the time of the closure of their workshop as he had already left the services and the I party asserts that he was a workman of the II Party till the closure of the II party's workshop. Hence it is agreed between the parties that without projudice to the right of the said workman to claim relief under Sec 33C (8) of the I D Act. or any of its provisions or under any other law, his claim is not pressed in this reference.

6. The second party agrees to pay the above amounts within thirty days from this date.

7. Both parties therefore pray that an award may be passed in terms of the above settlement, without costs. For which act of kindness and justice parties remain ever grateful.

Prays for orders accordingly.

(Sd.) Prabhakar Ghate
For I Party.

(Sd.) K. Shashidhar Rao
For II Party,

Mangalore
19—11—1966.

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P. T. KADKOL,
Presiding Officer,
Labour Court, Bangalore.